

UNITED STATES DISTRICT COURT
IN THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTOPHER YOUNG and
BRITTNEY YOUNG,
Plaintiffs,

-vs.-

DEMAND FOR JURY TRIAL

TAKHAR COLLECTION SERVICES, LTD.,
a foreign corporation,
Defendant.

COMPLAINT & JURY DEMAND

Plaintiffs Christopher and Brittney Young, husband and wife, through counsel, Nitzkin and Associates, by Gary Nitzkin states the following claims for relief:

JURISDICTION

1. This court has jurisdiction under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692k(d) and 28 U.S.C. §§1331,1337.
2. This court may exercise supplemental jurisdiction over the related state law claims arising out of the same nucleus of operative facts which give rise to the Federal law claims.

PARTIES

3. The Defendant to this lawsuit is Takhar Collection Services, Ltd., which is an Ontario company that maintains registered offices in Oakland County.

VENUE

4. The transactions and occurrences which give rise to this action occurred in Oakland County.
5. Venue is proper in the Western District of Michigan.

GENERAL ALLEGATIONS

6. Defendant is attempting to collect a consumer type debt allegedly owed by Plaintiff, Christopher Young, in regard to a book club account.
7. Plaintiff does not owe this alleged debt, as he has never had a book club account.
8. Within the last year, Plaintiff, Christopher Young, told Defendant that he does not owe this alleged debt, however, Defendant continues to call Plaintiff.
9. Defendant is calling Plaintiffs from 866-441-5558.
10. Defendant is calling Plaintiffs about once every three days.
11. Frequently when both Plaintiffs answer their telephone phone, the Defendant just hangs up without ever identifying itself or the purpose of its call.
12. Defendant has never identified itself as a debt collector attempting to collect a debt in any conversation that either Plaintiff has had with Defendant.
13. To date, Plaintiffs have never received anything in writing from Defendant.

COUNT I - FAIR DEBT COLLECTION PRACTICES ACT

14. Plaintiff reincorporates the preceding allegations by reference.
15. At all relevant times Defendant, in the ordinary course of its business, regularly engaged in the practice of collecting debts on behalf of other individuals or entities.
16. Plaintiff is a "consumer" for purposes of the FDCPA and the account at issue in this case is a consumer debt.
17. Defendant is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).
18. Defendant's foregoing acts in attempting to collect this alleged debt violated 15 U.S.C. §1692 et. seq;
19. The Plaintiff has suffered economic, emotional, general and statutory damages as a result of these violations of the FDCPA.

COUNT II - VIOLATION OF THE MICHIGAN COLLECTION PRACTICES ACT

20. Plaintiff incorporates the preceding allegations by reference.
21. Defendant is a "Regulated Person" as that term is defined in the Michigan Collection Practices Act ("MCPA"), at MCL § 445.251.
22. Plaintiff is a "Consumer" as that term is defined at MCL § 445.251.
23. Defendant's foregoing acts in attempting to collect this alleged debt violated MCL §445.252
24. Plaintiff has suffered damages as a result of these violations of the MCPA.
25. These violations of the MCPA were willful.

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury in this action.

DEMAND FOR JUDGMENT FOR RELIEF

Accordingly, Plaintiff requests that the Court grant him the following relief against the defendant:

- a. Actual damages.
- b. Statutory damages.
- c. Treble damages.
- d. Statutory costs and attorney fees.

Respectfully submitted,

June 11, 2012

/s/ Gary Nitzkin
GARY D. NITZKIN P41155
TRAVIS SHACKELFORD P68710
MICHIGAN CONSUMER CREDIT LAWYERS
Attorneys for Plaintiff
22142 West Nine Mile Road
Southfield, MI 48033
(248) 353-2882
Fax (248) 353-4840
Email – gary@micreditlawyer.com